24 Mar 65

Honorable Nicholas d-B. Katzenbach
Attorney General
Washington, D. C. 20530

Dear Mr. Attorney General:

This is in further response to your letter of February 8, 1965 to the Secretary of Defense concerning the availability for public examination of the unpublished materials in the National Archives placed there by the President's Commission on the Assassination of the late President Kennedy.

An examination has been made of certain material at the National Archives which was identified to our representative as the material furnished the Warren Commission by the Department of Defense. This material, all of it unclassified, is described in the enclosure hereto. Some of the information includes investigative reports and material relating to individuals and normally is not disclosed to the public. Based upon our examination of these materials and in view of the exceptional circumstances of the Commission's Report, the Department of Defense interposes no objection to making these materials available for public examination.

It is our understanding a possibility exists that there may be additional Department of Defense material at the National Archives not described in the enclosure which has not yet been identified as such. In the event any such additional Department of Defense records are disclosed at a later date, they should be brought to our attention for appropriate review.

Sincerely yours,

H Norman S. Paul

Coordination: PA-La

OGC Mr. Bartimo
Mr. Califano
Mr. V-nCook:CM:jo
Security Policy 3C285
73969

Enclosure

Mr. Califano
Mr. Bartimo
cc: OASD(M) files

3/17/65

| Report No. | Classification | Source and Description of Material | Publication | Remarks |
|---|---|---|---|---|
| 1042 | Unclassified Enclosure-"FOR OFFICIAL USE ONLY" | Dept of Navy Ltr from Rear Admiral Wilfred Hearn, JAG, with enclosure dated 6/3/64. Enclosure-Ltr from Dir. of Naval Intelligence to JAG, Navy, subject: Oswald, Lee Harvey (Deceased)-Forwards ONI Report on the Circumstances Surrounding the Death of Pvt. M. D. Schrand (Phillipines 1958) | Not published | Oswald thought to be involved. Report indicates Schrand death an accident. |
| 1055 | Unclassified | Dept of Navy - Hq U.S. Marine Corps. Ltr from Lt Col A. G. Folsom, Jr., U.S.M.C. to Mr. Lee J. Rankin, Gen. Counsel, Warren Commission, dated 6/8/64 w/encls. Encls.- M.C. Regulations re: Marksmanship Courses. | Ltr of Transmittal, published Page 16, Vol. XIX, Designated Anderson Exhibit No. 1 | Furnished in response to Commission's query re: Oswald's marksmanship. |
| 1059 | Unclassified | Dept of Navy - Hq U.S. Marine Corps. Ltr from Lt Col A. G. Folsom, Jr., U.S.M.C. to Mr. Lee J. Rankin, Gen. Counsel, Warren Comm. w/2 encls. Encl. 1 - Scoring Procedures GCT. Encl. 2 - Ltr from Lt Col Folsom, Jr. to Chief, Bureau of Med. & Surgery (Requests | Not published | |

| Report No. | Classification | Source and Description of Material | Publication | Remarks |
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| 1059 (Continued) | | Medical Records on Oswald be furnished to the Comm.) | | |
| 1105 | Unclassified | Dept of Navy Ltr from R.B. Brown, Ch, Bureau of Med. & Surgery to Comm., subject: Psychological Examinations Administered to Lee Harvey Oswald. | Published Page 688, Vol. XXII Designated Comm. Exhibit No. 1383 | Ltr indicates no psychologi examinations administered to Oswald. |
| 83 | Unclassified | Dept of Army Service and Med. Record of Jack Rubenstein(Ruby) | Published Pages 182-202, Vol. XXIII. Designated Exhibits Numbered 1706 and 1707 | No ltr of transmittal |
| 492 | Unclassified | DoD-Gen Counsel Ltr from Mr. Frank A. Bartimo to Mr. Lee J. Rankin w/atchmts, dated 3/11/64. Atchmts-Off. Rpt of Investigation of the Death of Pvt. Martin D. Schrand, U.S.M.C. | Pages 2-12 (Body of Rept of Investigation) Published pages 862-867, Vol. XXV. Designated Exhibit No. 2586. Statements of Witnesses (Pages 13-20) not published. | Investigation shows death of Schrand to be accidental. |

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| 852 | CONFIDENTIAL Regraded Unclassified when separated from encls. (Note: encls. have been declassified. See 852a, b, c, and d.) | DoD - Gen. Counsel Ltr of transmittal from Mr. Frank A. Bartimo to Mr. Lee J. Rankin, dated 4/24/64 w/4 encls. (See 852a, b, c, and d.) | Not identified in Commission Report | A ltr from Mr. Lee J. Rankin to Mr. Niederlehnder, OSD, General Counsel, dated 9/30/64, stated in part, "The Commission wishes to publish at the earliest opportunity the following classified documents:<br><br>1. Office of General Counsel memorandum to Mr. Lee J. Rankin, dated April 24, 1964 w/attachments from the three Military Departments and the DIA concerning arrangements for safeguarding the President-CONFIDENTIAL<br><br>2. Air Force proposed Manifest-AF #1 - Fort Worth to Dallas-CONFIDENTIAL."<br>Note: Para. 1 declassified (Authority shown as E.O. 10501)<br>Para. 2 not seen.<br><br>The response to Mr. Rankin's ltr not seen. |

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| 852a. | Formerly CONFIDENTIAL. Declassified 11/6/64. Stamped: Classification changed to unclassified by authority of E.O. 10501, dated 11/5/53. By AM 11/6/64 | DIA enclosures to above cited ltr of transmittal (852) Memo for Gen. Counsel, DoD, subject: Arrangements for Safeguarding the President, dated 4/10/64 | Cannot be identified in Comm. Report. | Brief 2 page letter which states in substance - DIA had no arrangements in effect for safeguarding the President. |
| 852b. | Originally unclassified but stamped as 852a. above | Dept of Army Enclosure to above cited ltr of transmittal (852) Memo for Gen. Counsel, DoD from R. Tenney Johnson, Actg Gen. Counsel, D/A, dated 4/17/64, w/attachments. | Cannot be identified in Comm. Report. | Forwards regulations on protection of persons. |
| 852c. | Originally unclassified but stamped as 852a. above. | Dept of Navy Enclosure to above cited ltr of transmittal (852) Memo for Gen. Counsel, DoD, from Mr. Fay, Secretary of Navy, dated 4/17/64. | Cannot be identified in Comm. Report. | Forwards regulations on protection of persons. |

| Report No. | Classification | and Description of Material | Publication | Remarks |
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| 852d | Originally unclassified. Marked FOUO - - - - - Stamped as 852a. above. | Dept of Air Force Enclosure to above cited ltr of transmittal (852) Memo for Gen Counsel, DoD, from Mr. Joseph P. Hochreiter, Deputy Admin. Asst. to Secy of the Air Force, dated 4/16/64. | Cannot be identified in Comm. Report. | Forwards regulations on protection coverage for distinguished visitor |
| 973 | Unclassified | Dept of Defense Memo from Mr. Frank A. Bartimo to Mr. Lee J. Rankin w/encls. from Adjutant General, Dept of Army and Records Br., U.S. Marine Corps. | Not published | Forwards Military Records of Specialist 4, Nelson Delgado |
| 1044 | Unclassified Marked FOUO | Dept of Defense Memo for Mr. Lee J. Rankin from Mr. Califano w/encl (OSI file on Staff Sgt John E. Pic, half-brother of Oswald) | Not published | Mr. Califano's memo states in part "The documents have been downgra from 'CONFIDENTIAL' t 'OFFICIAL USE ONLY,' but I would like to empha that it is the policy of the DoD not to make reports this type available outsid the Executive Br. and it i our understanding that th information contained in this document will not appear in any public repo of the Commission withou our clearance." |

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| 1509 | Unclassified | Secretary of Defense Affidavit from Mr. McNamara to the effect that Oswald was never an informant or agent of any intelligence agency under the jurisdiction of the Dept of Defense | Published pages 891-892, Vol. XXVI. Designated Exhibit No. 3138. | None. |